

III. Remarks

Claims 2-6, 8-10, 29 and 30 are pending in this application. By this Amendment, previously withdrawn claims 12-28 have been cancelled. Reconsideration in view of the above amendments and the following remarks is respectfully requested. No new matter is believed added.

In the Office Action, claims 2-6, 8-9, 29 and 30 have been rejected under 35 U.S.C. 102(e) as allegedly being unpatentable over U.S. Patent No. 6,328,992 to Brooke et al. (hereinafter '992). Claim 10 has been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over '992 in view of PGPB 2003/0158191 (hereinafter '191).

With respect to the rejection of claims 2-6, 8-9, 29 and 30, Applicant respectfully submits that '992 fails to teach each and every feature of the claimed invention. Specifically, as indicated in claim 29, the present invention provides “a cannabinoid composition consisting essentially of cannabidiol” (emphasis added). Contrary to the assertions of the Office, such a feature is not taught by '992. Specifically, as previously argued, '992 at best only teaches administration of mixtures of Delta8-THC, Delta9-THC and Cannabinol and CBD. See, e.g., column 6, lines 25-34, where the specification teaches preparation of cannabis by extraction of oils from a cannabis plant. See, also, the Examples wherein the specification discloses only compositions comprising 3% Delta8-THC, 30% Delta9-THC, 35% CBD, and 32% Cannabinol. Applicant submits that the mere potential presence of Cannabinol is not the same as providing a cannabinoid composition consisting essentially of cannabidiol, as presently claimed.

Claim 10 is dependent upon claim 29. Applicant submits that claim 10 is allowable for the same reasons stated above, as well as for its own additional features.

Applicant respectfully submits that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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